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| File No. <div style="text-align: center; border: 1px solid black; padding: 5px; font-weight: bold;">SEARCH WARRANT</div> <div style="text-align: center; border: 1px solid black; padding: 2px;">IN THE MATTER OF</div> Google, Inc. Date Issued 01/28/2019 Time Issued 2:04 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM Name Of Applicant Det A. Olliver II Name Of Additional Affiant Name Of Additional Affiant | | <div style="text-align: center; font-weight: bold;">STATE OF NORTH CAROLINA</div> <div style="display: flex; justify-content: space-between; align-items: center;"> <div>WAKE County</div> <div>In The General Court Of Justice District/Superior Court Division</div> </div> <p>To any officer with authority and jurisdiction to conduct the search authorized by this Search Warrant:</p> <p>I, the undersigned, find that there is probable cause to believe that the property and person described in the application on the reverse side and related to the commission of a crime is located as described in the application.</p> <p>You are commanded to search the premises, vehicle, person and other place or item described in the application for the property and person in question. If the property and/or person are found, make the seizure and keep the property subject to Court Order and process the person according to law.</p> <p>You are directed to execute this Search Warrant within forty-eight (48) hours from the time indicated on this Warrant and make due return to the Clerk of the Issuing Court.</p> <p>This Search Warrant is issued upon information furnished under oath or affirmation by the person(s) shown.</p> | |
| <div style="text-align: center; border: 1px solid black; padding: 2px; font-weight: bold;">RETURN OF SERVICE</div> <p>I certify that this Search Warrant was received and executed as follows:</p> Date Received 1/28/2019 Time Received 2:04 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM Date Executed 1/28/2019 Time Executed 4:00 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM <input type="checkbox"/> I made a search of _____ _____ _____ _____ as commanded. <input type="checkbox"/> I seized the items listed on the attached inventory. <input checked="" type="checkbox"/> I did not seize any items. <input type="checkbox"/> This Warrant WAS NOT executed within forty-eight (48) hours of the date and time of issuance and I hereby return it not executed. | | <div style="display: flex; justify-content: space-between;"> <div>Date 1/28/19</div> <div>Name (type or print) Andrew Heath</div> <div>Signature </div> </div> <div style="display: flex; justify-content: space-between; font-size: small;"> <input type="checkbox"/> Deputy CSC <input type="checkbox"/> Assistant CSC <input type="checkbox"/> CSC <input type="checkbox"/> Magistrate <input type="checkbox"/> District Ct. Judge <input checked="" type="checkbox"/> Superior Ct. Judge </div> <p>NOTE: When issuing a search warrant, the issuing official must retain a copy of the warrant and warrant application and must promptly file them with the clerk. G.S. 15A-245(b).</p> <p>This Search Warrant was delivered to me on the date and at the time shown below when the Office of the Clerk of Superior Court is closed for the transaction of business. By signing below, I certify that I will deliver this Search Warrant to the Office of the Clerk of Superior Court as soon as possible on the Clerk's next business day.</p> | |
| Name Of Officer Making Return (type or print) A. OLLIVER II Signature Of Officer Making Return | | <div style="display: flex; justify-content: space-between;"> <div>Date</div> <div>Time <input type="checkbox"/> AM <input type="checkbox"/> PM</div> <div>Name Of Magistrate (type or print)</div> <div>Signature Of Magistrate</div> </div> | |
| Department Or Agency Of Officer Aquavanna Incident Number 2019-0016V | | <div style="display: flex; justify-content: space-between;"> <div>Date 3/13/19</div> <div>Time 1233 <input type="checkbox"/> AM <input checked="" type="checkbox"/> PM</div> <div>Name Of Clerk (type or print) Cynthia H. BOBBIS</div> <div>Signature Of Clerk </div> <div style="font-size: x-small;"> <input checked="" type="checkbox"/> Dep. CSC <input type="checkbox"/> Asst. CSC <input type="checkbox"/> CSC </div> </div> | |

STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF:
Google Inc

DETECTIVE: Andrade Olliver II

DATE: January 28, 2019

APPLICATION FOR SEARCH WARRANT
AFFIDAVIT

Property/Person To Be Searched:

This warrant is directed to Google, Inc. (the "Provider"), headquartered at 1600 Amphitheatre Parkway, Mountain View, California 94043, and applies to all content and other information within the Provider's possession, custody, or control associated with the **any device that was located in the Latitude and Longitude 35.593229, -78.765133133, on 1/25/2019 between 0100 hours and 0400 hours and Maintained at the Premises Controlled by Google, Inc.**

A law enforcement officer will serve this warrant by transmitting it via email or another appropriate manner to the Provider. The Provider is directed to produce to the law enforcement officer an electronic copy of the information specified in ATTACHMENT I.

Upon receipt of the production, law enforcement personnel (who may include, in addition to law enforcement officers and agents, attorneys for the government, attorney support staff, agency personnel assisting the government in this investigation, and outside technical experts under government control) are authorized to review the records produced by the Provider in order to locate any evidence, fruits, and instrumentalities of violations of North Carolina General Statute 14-54(A), Burglary/Breaking & Entering, which may be contained within the furnished records.

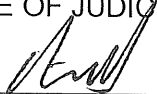
Section I: Affiant Information

The Affiant swears to the following facts to establish probable cause for the issuance of a search warrant:

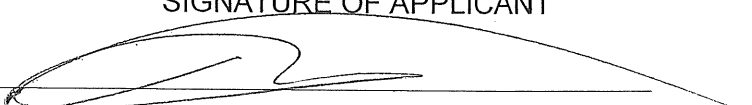
This affiant swears to the following facts establishing probable cause for the issuance of a search warrant. Affiant has been a sworn Law Enforcement Officer for over four years and is currently an Investigator for The Town of Fuquay-Varina Police Dept. During the course of employment as a Law Enforcement Officer, this applicant has received more than 1,290 hours of in-service training pertaining to functions of law enforcement duties including such courses as Digital Evidence Expertise in The Courtroom, Fundamentals of Fingerprint Evidence, Intro to Wireless Investigations, Intro to Cybercrimes, Credit Card Fraud & Digital Evidence, Digital Search & Seizure for Patrol Officers, Internet Investigations, Best Practices for Seizing Digital Evidence, Investigation of Social Networking Sites, Intro to IED'S & Forensic Evidence, Gunshot

SWORN AND SUBSCRIBED BEFORE ME ON DATE: January 28, 2019 Page 1 of 8

SIGNATURE OF JUDICIAL OFFICIAL



SIGNATURE OF APPLICANT



**STATE OF NORTH CAROLINA
WAKE COUNTY**

**IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION**

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Google Inc

DETECTIVE: Andrade Olliver II

DATE: January 28, 2019

Wounds and Forensic Evidence ,Automotive Digital Evidence & Theft ,Advanced Identity Theft & Electronic Crimes ,Cell Phone Investigation & Electronic Evidence , Understanding the value of trace evidence, Investigation of Strangulation & Forensic Evidence, Drones for Law Enforcement, Basic Crime Scene Investigation For First Responders, Wound Injuries, Patterns & Analysis, Crime Scene Photography – Part 1, Crime Scene Photography – Part 2, Crime Scene Photography – Part 3, Introduction to GPS Evidence for Law Enforcement, Cell Phone Investigation & Electronic Evidence, Introduction to Computer Forensics, Introduction to DNA for Law Enforcement, Investigation of Smart Phones & Applications, DWI Detection, Basic Narcotic Investigation, Prescription Drug Crimes , Burglary and Property Crime Scene Investigation, Drug Enforcement for Patrol Officers, Crisis Intervention Team.

The training was received through Continuing Education and In-Service Training Classes at Wake Technical Community College in Raleigh, NC, the Coastal Plains Law Enforcement Training Center located in Wilson, NC, and Johnston County Community College in Smithfield, NC, Central Piedmont Community College in Matthews, NC and Guilford Technical Community College in Jamestown, NC. I additionally hold an Intermediate Law Enforcement Certificate issued by the North Carolina Criminal Justice Training Standards Commission, as well as a bachelor's Degree in Criminal Justice. I have, during my law enforcement tenure, been involved in and made numerous arrests resulting from criminal investigations. I have testified in North Carolina State Court and have obtained successful convictions following criminal investigations in which I participated.

Section II: Crime Under Investigation and Property to be Seized: Burglary/Breaking & Entering 14-54(A) Any content and other information associated with the Latitude and Longitude 35.593229, -78765133133 on 1/25/2019 between 0100 hours and 0400 hours maintained at premises controlled by Google Inc

Section III: Facts Establishing Probable Cause

The information received during the course of this investigation is discussed in this affidavit and is believed to be true and accurate by Det A. Olliver II.

On Friday 01/25/2019, at approximately 0630 hours, Officer Plante responded to 610 Lakestone Commons Ave (Kiddie Academy) in reference to a breaking and entering.

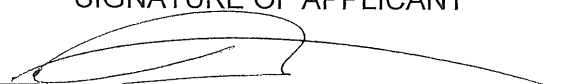
Upon his arrival, he met with employees that were already inside the building. Rebecca Dickinson (Other Involved #1) stated she was the one that found the broken window but was the second employee to show up for work. Jennifer Stephens (Other Involved #2) was the first to show up but did not notice the broken window. Officer Plante asked Dickinson if they noticed

SWORN AND SUBSCRIBED BEFORE ME ON DATE: January 28, 2019 Page 2 of 8

SIGNATURE OF JUDICIAL OFFICIAL



SIGNATURE OF APPLICANT



**STATE OF NORTH CAROLINA
WAKE COUNTY**

**IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION**

IN THE MATTER OF:

Google Inc

DETECTIVE: Andrade Olliver II

DATE: January 28, 2019

anything missing and she replied they already walked through the daycare and did not find anything missing. Sgt. Coor and Officer Plante were escorted to every room to double check for a suspect, missing items or further evidence, but nothing was located. Officer Plante asked Dickinson if there were security cameras to which she stated there are some inside the daycare, but only Michele Carter (Other Involved #3) and Brian Dorr (Owner/Other Involved #4) can access them.

Once Carter and Dorr arrived, Officer Plante requested access to the video surveillance. There is one camera in every room, the lobby and multiple ones located outside.

Using the surveillance footage, on 01/25/2018 at 0258 hours a vehicle is seen driving from behind Big Lots very slowly, drives towards Kiddie Academy and then driving along the left side of the building going towards Lakestone Commons Ave. The vehicle then turns left onto Lakestone Commons Ave.

On 01/25/2019 at 0311 hours a subject is seen walking on Lakestone Commons Ave going towards US 401 and turns right onto the alley street running along the side of Kiddie Academy. At 0316 hours, using the internal camera on the room of entry, the subject is seen smashing the window and making entry into the daycare. The subject then walks into the lobby where lights turn on, and he turns right into the main office. The subject is seen opening a drawer and then goes out of view. From that room, the subject goes across the hall into the other lobby front room where no activity can be observed as the subject walks out of the room and heads towards where he entered and looked up at the camera. The subject is a black male, wearing a hooded overcoat, a face mask, jeans, and sneakers. After the subject leaves the daycare, he is seen at 0322 hours walking back towards Lakestone Commons Ave and turning left on Lakestone Commons Ave heading towards Lakestone Village Ln.

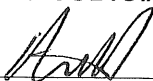
On 1/25/2019 I observed on camera the suspect pulls out a small object with a light in what I believe to be a cellphone. I also observed the suspect's vehicle was the only vehicle in the area at the time of the crime.

This applicant knows that a cellular telephone or mobile telephone is a handheld wireless device primarily used for voice, text, and data communication through radio signals. Cellular telephones send signals through networks of transmitter/receivers called "cells" or "cell sites," enabling communication with other cellular telephones or traditional "landline" telephones. Cellular telephones rely on cellular towers, the location of which may provide information on the location of the subject telephone. Cellular telephones may also include global positioning system ("GPS") or other technology for determining a more precise location of the device.

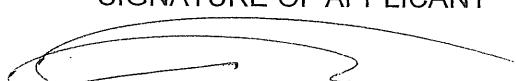
In this investigator's training and experience, I know that in modern times cellular telephones are ubiquitous and used by people of all ages and demographics. The mobile and individualistic nature of cellular telephones mean that they are often carried by their users wherever they

SWORN AND SUBSCRIBED BEFORE ME ON DATE: January 28, 2019 Page 3 of 8

SIGNATURE OF JUDICIAL OFFICIAL



SIGNATURE OF APPLICANT



STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF:

Google Inc

DETECTIVE: Andrade Olliver II

DATE: January 28, 2019

travel and generally geographically mirror their user's pattern of movement over time. Further, a cellular telephone tends to be used by a specific person over a period of time and so records associated with that device reflect the activity and pattern of life of that specific person. Various companies, such as cellular telecommunication providers as well as operating system designers (Google), are known to maintain records associated with the location of specific cellular devices they provide service to. This is done to ensure the continued quality of their service, to enable location-based services, and to facilitate normal operation of the cellular device.

This applicant also knows that Google is a company which, among other things, provides electronic communication services to subscribers, including email services. Google allows subscribers to obtain email accounts at the domain name gmail.com and/or google.com. Subscribers obtain an account by registering with Google. A subscriber using the Provider's services can access his or her email account from any computer/device connected to the Internet.

This applicant knows that Google has also developed a proprietary operating system for mobile devices, including cellular phones, known as Android. Nearly every cellular phone using the Android operating system has an associated Google account, and users are prompted to add a Google account when they first turn on a new Android device.

Based on this applicant's training and experience, this applicant knows that Google collects and retains location data from Android-enabled mobile devices when a Google account user has enabled Google location services. Google can also collect location data from non-Android devices if the device is registered to a Google account and the user has location services enabled. The company uses this information for location-based advertising and location-based search results and stored such data in perpetuity unless it is manually deleted by the user. This location information is derived from GPS data, cell site/cell tower information, and Wi-Fi access points.

This applicant knows that location data can assist investigators in forming a fuller geospatial understanding and timeline related to a specific criminal investigation; and may tend to identify potential witnesses and/or suspects. Such information can also aid investigators in possibly inculcating or exculpating persons of interest.

Additionally, location information can be digitally integrated into image, video, or other computer files associated with a Google account and can indicate the geographic location of the accounts user at a particular date and time (e.g., digital cameras, including on cellular telephones, frequently store GPS coordinates indicating where a photo was taken in the "metadata" of an image file).

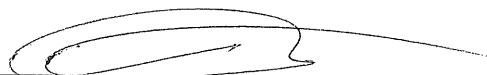
In this applicant's training and experience, I have learned that Google provides a variety of online services, including electronic mail ("email") access, to the public. Google allows subscribers to obtain email accounts at the domain name Gmail.com. Subscribers obtain an account by

SWORN AND SUBSCRIBED BEFORE ME ON DATE: January 28, 2019 Page 4 of 8

SIGNATURE OF JUDICIAL OFFICIAL



SIGNATURE OF APPLICANT



**STATE OF NORTH CAROLINA
WAKE COUNTY**

**IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION**

IN THE MATTER OF:

Google Inc

DETECTIVE: Andrade Olliver II

DATE: January 28, 2019

registering with Google. During the registration process, Google asks subscribers to provide basic personal information. Therefore, the computers of Google are likely to contain stored electronic communications (including retrieved and un-retrieved email for Google subscribers) and information concerning subscribers and their use of Google services, such as account access information, email transaction information, and account application information. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users.

A Google subscriber can also store with the Provider files in addition to emails, such as address books, contact or buddy lists, calendar data, pictures (other than ones attached to emails), and other files, on servers maintained and/or owned by Google. In my training and experience, evidence of who was using an email account may be found in address books, contact or buddy lists, email in the account, and attachments to emails, including pictures and files.

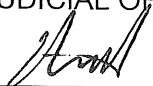
In this applicant's training and experience, email providers generally ask their subscribers to provide certain personal identifying information when registering for an email account. Such information can include the subscriber's full name, physical address, telephone numbers and other identifiers, alternative email addresses, and, for paying subscribers, means and source of payment (including any credit or bank account number). In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users. Based on my training and my experience, I know that even if subscribers insert false information to conceal their identity, I know that this information often provide clues to their identity, location or illicit activities.

In this applicant's training and experience, email providers typically retain certain transactional information about the creation and use of each account on their systems. This information can include the date on which the account was created, the length of service, records of login (*i.e.*, session) times and durations, the types of service utilized, the status of the account (including whether the account is inactive or closed), the methods used to connect to the account (such as logging into the account via the provider's website), and other log files that reflect usage of the account. In addition, email providers often have records of the Internet Protocol address ("IP address") used to register the account and the IP addresses associated with particular logins to the account. Because every device that connects to the Internet must use an IP address, IP address information can help to identify which computers or other devices were used to access the email account.

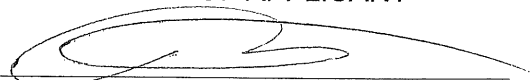
In this applicant's training and experience, in some cases, email account users will communicate directly with an email service provider about issues relating to the account, such as technical problems, billing inquiries, or complaints from other users. Email providers typically retain records about such communications, including records of contacts between the user and the provider's support services, as well records of any actions taken by the provider or user as a result of the communications. In my training and experience, such information may constitute

SWORN AND SUBSCRIBED BEFORE ME ON DATE: January 28, 2019 Page 5 of 8

SIGNATURE OF JUDICIAL OFFICIAL



SIGNATURE OF APPLICANT



STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF:

Google Inc

DETECTIVE: Andrade Olliver II

DATE: January 28, 2019

evidence of the crimes under investigation because the information can be used to identify the account's user or users.

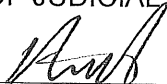
As explained herein, information stored in connection with an email account may provide crucial evidence of the "who, what, why, when, where, and how" of the criminal conduct under investigation, thus enabling the United States to establish and prove each element or alternatively, to exclude the innocent from further suspicion. In my training and experience, the information stored in connection with an email account can indicate who has used or controlled the account. This "user attribution" evidence is analogous to the search for "indicia of occupancy" while executing a search warrant at a residence. For example, email communications, contacts lists, and images sent (and the data associated with the foregoing, such as date and time) may indicate who used or controlled the account at a relevant time. Further, information maintained by the email provider can show how and when the account was accessed or used. For example, email providers typically log the IP addresses from which users access the email account along with the time and date. By determining the physical location associated with the logged IP addresses, investigators can understand the chronological and geographic context of the email account access and use relating to the crime under investigation. This geographic and timeline information may tend to either inculcate or exculpate the account owner. Additionally, information stored at the user's account may further indicate the geographic location of the account user at a particular time (e.g., location information integrated into an image or video sent via email). Last, stored electronic data may provide relevant insight into the email account owner's state of mind as it relates to the offense under investigation. For example, information in the email account may indicate the owner's motive and intent to commit a crime (e.g., communications relating to the crime), or consciousness of guilt (e.g., deleting communications in an effort to conceal them from law enforcement).

In this applicant's training and experience, I have also learned that, in addition to e-mail, Google provides a variety of online services, including telecommunications access, to the public. Subscribers obtain an account by registering with Google. During the registration process, Google asks subscribers to provide basic personal information. Therefore, the computers of Google are likely to contain stored electronic communications (including retrieved and un-retrieved voicemails and text messages for Google subscribers) and information concerning subscribers and their use of Google services, such as account access information, toll records, and account application information. In my training and experience, such information may constitute evidence of the crimes under investigation because the information can be used to identify the account's user or users.

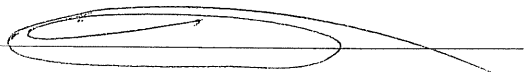
Google Voice is an Internet-based communications service that allows users to control multiple phone lines or phone accounts through a single Google account. Anyone with a Google account may sign up for Google Voice. A single Google account can be used to access all of the online services offered by Google, such as Google E-mail, Google Checkout, or Google Talk. Google Voice advertises itself as a phone management system. A user is assigned a 10-digit U.S. telephone phone number, and that user can then consolidate several phone lines or numbers

SWORN AND SUBSCRIBED BEFORE ME ON DATE: January 28, 2019 Page 6 of 8

SIGNATURE OF JUDICIAL OFFICIAL



SIGNATURE OF APPLICANT



STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION

IN THE MATTER OF:

Google Inc

DETECTIVE: Andrade Olliver II

DATE: January 28, 2019

into that single US phone number. Google Voice works with mobile phones, desk phones, work phones, and Voice Over Internet Protocol (VoIP) lines. Incoming phone calls to the Google Voice number will then ring simultaneously on all of the user's configured phones or to the account's Google Talk feature, which is an online video and voice chatting service similar to Skype.

A Google Voice account combines many traditional cell phone services with the features of an email or online storage account. For example, a user may receive voicemail at a Google Voice number, record calls, transcribe voicemails, and send text or instant messages. Google Voice offers the ability to send and receive text messages to an email address or cell phone, and then store that data online. Voicemail messages left at a Google Voice number can be converted to text format and then emailed or texted to the user account.

To send a text message, a user logs into a Google Voice account via the Internet, selects the "Text" option in the account, enters the text and phone number of the recipient, and then clicks on the "Send" command button. When the subscriber sends an email or text message, it is initiated at the user's computer, transferred via the Internet to Google's servers, and then transmitted to its end destination. Google often saves a copy of the message sent. Because a Google Voice account is associated with a general Google account, which has email capability, users have access to the traditional features of an email account. Unless the sender of the email specifically deletes the email or text, the message can remain on the system indefinitely. Permanent storage of all incoming and outgoing data is the default setting for a Google Voice account.

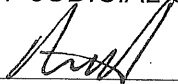
A Google subscriber can also store with the provider files in addition to emails, such as address books, contact or buddy lists, pictures, and other files, on servers maintained and/or owned by Google. In my training and experience, evidence of who was using a Google Voice account may be found in address books, contact or buddy lists, communications in the account, and attachments, including pictures and files.

According to representatives of Google, the company keeps records that can reveal Google accounts accessed from the same electronic device, such as the same computer or mobile phone, including accounts that are linked by "cookies," which are small pieces of text sent to the user's Internet browser when visiting websites. This warrant requires Google to identify any other accounts accessed by the same device(s) that accessed the Subject Account described in Attachment A, including accounts linked by cookies, recovery email address, or telephone number. This warrant will ask that Google identify such accounts and produce associated subscriber information.

This applicant knows that websites collect User Agent Strings (UAS) of all visitors to a web page in order to provide the visitor a version of the website that is properly formatted for their web browser. A UAS provides details about the hardware and software the user might be using to visit the webpage; such as operating system, web browser version, and occasionally hardware

SWORN AND SUBSCRIBED BEFORE ME ON DATE: January 28, 2019 Page 7 of 8

SIGNATURE OF JUDICIAL OFFICIAL



SIGNATURE OF APPLICANT



STATE OF NORTH CAROLINA
WAKE COUNTY

IN THE GENERAL COURT OF JUSTICE
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Google Inc

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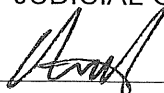
manufacturer of the device used to visit the web page. The production of such details will also aid in identifying subjects searching for the terms listed above.

The applicant would respectfully request the court issue a search warrant for the material outlined in ATTACHMENT I of the above-mentioned Google, Inc. or Google Payment Corp. account.

All information and facts provided in this affidavit are true and accurate to the best of the applicant's knowledge. The applicant feels that there is sufficient probable cause for the issuance of a search warrant for the evidence, fruits, and instrumentalities of violations of North Carolina General Statute 14-54(A), Burglary/Breaking & Entering which may be contained within the furnished records.

SWORN AND SUBSCRIBED BEFORE ME ON DATE: January 28, 2019 Page 8 of 8

SIGNATURE OF JUDICIAL OFFICIAL



SIGNATURE OF APPLICANT

